ROAD TO EQUITY

HOPE FOR DIVERSITY

AN EMPLOYMENT EQUI TY EDUCATI ON AND AWARENESS PROGRAM

103-05483/

A Joint Union/Management Project

For more information contact the:

Public Service Commission
2100 Broad Street
Regina, Saskatchewan
S4P 3V7

Phone: (306) 787-2424
Fax: (306) 787-7434

Internet: www.gov.sk.ca/psc/equity
E-Mail: employment.equity@psc.gov.sk.ca

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October, 1999

" Equity"

Sometimes equality means treating people the same, despite their differences and sometimes it means treating them as equals by accommodating their differences.

- Judge Rosalie Abella

Chair, Royal Commission on Equality of Employment

Diversity

I believe that diversity is a part of the natural order of things –
as natural as the trillion shapes and shades of the flowers
of spring or the leaves of autumn.

I believe that diversity brings new solutions to an ever–
changing environment, and that sameness is not only
uninteresting but limiting.

To deny diversity is to deny life –
with all its richness and manifold opportunities.
Thus I affirm my citizenship in a world of diversity,
and with the responsibility to...

Be tolerant. Live and let live.
Understand that those who cause harm should not be feared,
ridiculed, or harmed – even if they are different.

Look for the best in others.

Be just in my dealing with poor and rich,
weak and strong, and whenever possible to
defend the young, the old, the frail, the defenseless.

Be kind, remembering how fragile the human spirit is.

Live the examined life, subjecting my motives and actions
to the scrutiny of mind and heart so to rise above prejudice and hatred.
Care.

– Gene Griessman – S.E.R.M. 1996 –

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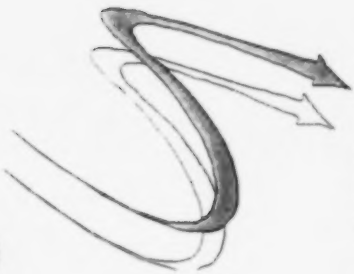
EDUCATION AND AWARENESS

A key ingredient to a successful employment equity program is the communications strategy that includes training, to market the benefits of the program to staff and the organization. Misperceptions and misunderstandings of program objectives, activities and outcomes could have negative consequences on employee morale and the ultimate success of the employment equity initiative.

The goal of education and awareness is engrain the principle, "diversity of individuals" in the workplace as a basic human right and fundamental human value, by promoting principles of equality and opportunity, and providing information about employment equity. The training focuses on acknowledging, valuing and accommodating the differences associated with race, gender, disability, language and culture. It is part of the continuing effort of union and management to raise awareness of all employees with the goal of attaining an informed, harassment-free, diverse workplace.



GOALS AND OBJECTIVES

The goal of this document is to provide education, awareness, and a comprehensive understanding of Employment Equity (EE) in the Government of Saskatchewan using a historical, legal, and statistical perspective. The objectives are:

1) to identify and clarify misconceptions about the employment equity program;

2) to achieve an understanding of the benefits of a diverse labour force;

3) to attain a commitment to change and progress by eliminating racism, stereotyping, discriminatory practices, behaviours, and other barriers to equity.

WHY DO WE NEED EMPLOYMENT EQUITY?

According to the Saskatchewan Human Rights Commission (SHRC), "the vision of employment equity is an inclusive workplace that benefits from the resources of a diverse workforce and enables all groups to contribute to the communities' economic well-being." [1] Throughout history, Canada has witnessed acts of discrimination and racism in the workplace. Moreover, the average workplace in Saskatchewan did not accurately represent the demographics of the population. Part of the solution to this problem was to create a program that would enable those who typically have been excluded from certain opportunities in the workforce to access those opportunities. This program is called Employment Equity, in place to ensure that the Government of Saskatchewan attains a representative workplace.

There have been many heated debates about whether employment equity is a fair program to all people. There are in fact benefits that are created by employment equity programs, directed towards all people, not just the designated groups. Organizations, which have established and implemented Employment Equity programs, are already seeing benefits. Some of these benefits are as follows:[2]

- √ The implementation of an employment equity plan guides an employer in its review of its human resource policies and practices and can contribute to organizational renewal.

- √ An organization that acknowledges equity principles can expect to create a more supportive work environment that will maximize discretionary employee effort. Productive workers find this type of environment conducive to increasing effort and performance.

- √ An equitable workplace encourages the best employees to stay rather than seek employment opportunities elsewhere, thus reducing the costs of high turnover and replacement of staff. Employment equity leads to a more tolerant workplace, increasing morale and confidence, leading to reduced absenteeism and miscommunication.

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[1] Saskatchewan Human Rights Commission, 1996.
[2] Wilson, Trevor, *Diversity at Work*, pp.12-15.

- √ Employees, particularly designated group employees, have the opportunity to maximize their full potential when employers have removed attitudinal and systemic barriers.

- √ Valuing the differences of employees allows the organization to take advantage of a diverse set of skills available in the workplace. This can translate into a higher quality of production among team members and work units.

- √ People from diverse backgrounds encourage organizations to push its traditional modes of thinking. Different, innovative opinions and perspectives contribute positively to current and new programs/policies.

- √ A significant demographic reality for employers is the changing needs of the family. Acknowledgement of work and family responsibilities allows the organization to develop flexible work arrangements that improve productivity as well as the quality of life at home.

- √ As the organization begins to reflect the diversity of its marketplace, it is more likely to relate to its customers' needs, by providing and improving services to reflect the interests of its clients.

- √ Organizations valuing equity are seen as leaders in their field and in touch with the realities of the changing nature of society. These employers are not affected by negative publicity surrounding human rights violations as they have proactively addressed harassment and discriminatory issues in their workplaces.

- √ Differences in racial/ethnic origin, culture, language, customs, style, etc. are important considerations in globalization when employers move into unknown markets or seek business and economic opportunities. A diverse workforce in an international setting is a definite advantage for business growth.

- √ All people now enjoy policies and programs that were initially implemented to accommodate the designated groups. Examples include: power assisted and automatic doors are useful for those whose hands are full, ramps rather than stairs are easier for children, maternity leave has been expanded to include paternity and adoption leave, ramped sidewalk curbs are useful for bicyclists and children in strollers, family leave is extended to cover not only child care but also elder care, etc.

These benefits not only lend to increased awareness and acceptance of employment equity, but also to a brighter future for the people of Saskatchewan.

WHAT IS INEQUALITY?

For the purpose of this package, inequality is defined as the inability of specific groups of people to access certain opportunities available in society that typically should be available to all people equally. Access to education or employment are examples of these opportunities. "When social groups based on race, [physical or mental ability], gender, or other features are systematically associated with differential reward and privilege, inequality becomes an institutionalized feature of society." [3]

Recognizing that there are varying types of discrimination in our society, Prime Minister Pierre Trudeau, in 1971' officially enacted a multicultural policy, stating that it was needed "to break down discriminatory attitudes and cultural jealousies...(and) form the base of a society which is based on fair play for all." [4] Despite the implementation of this policy, racism and discriminatory practices did not cease to exist, nor did the policy address other social groups like women and people with disabilities.

After extensive studies indicated that discrimination in the workforce leads to unequal wages for people competing for the same duties, or to an unequal chance of being hired, promoted, or fired, Judge Rosalie Abella, Chair of the Royal Commission on Equality in Employment, coined the term *Employment Equity* in 1984.

> *Employment Equity is a strategy designed to obliterate the present and residual effects of discrimination and to open equitably the competition for employment opportunities to those arbitrarily excluded. It requires a special blend of what is necessary, what is fair and what is workable.*
>
> Judge Rosalie Silberman Abella, 1984.

WHAT IS EMPLOYMENT EQUITY?

The 1984 Royal Commission on Equality of Employment, also called the Abella Commission, defines employment equity as a strategy to eliminate the effects of discrimination and to fully open the competition for job opportunities to those who have been excluded historically.

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[3] Li, 1988.

[4] Canada, House of Common Debates, October 8, 1971.

The Abella Commission expressed the growing belief that *all* individuals, regardless of their personal characteristics, should be treated fairly in recruitment, hiring, promotions, training, dismissals, and any other employment decisions.

The federal government's *Employment Equity Act (1986)* was a direct result of the Abella report. The Commission argued that *systemic discrimination* creates employment barriers that can only be dismantled through instructive legislation. Systemic discrimination can be defined as the "unintentional consequence of employment practices and policies that have a differential effect on specific groups." [5] This form of discrimination is built into the system of employment, rather than being the conscious intent of individuals to discriminate. For example, minimum height and weight requirements (using Caucasian males as the norm) for entry into police or fire departments have the *effect* of excluding individuals from the four designated groups, as well as some Caucasian males, even though this was not the *intent*.

Employment equity does *not* mean the granting of special privileges to designated group members. The SHRC stated that, "every person hired under an [EE]...program is able to do the job." [6] What employment equity does mean, is the elimination of stereotyping, racism, job segregation, patronage, and the recruitment of qualified designated group members.

> *Sometimes fairness means not that everyone should be treated the same, but rather differences should be recognized, valued, and accommodated.*

The objectives of Employment Equity are to:

- *increase the representation of designated groups in the public service; and*
- *remove barriers that prevent fair and equitable hiring, promotion and trainingopportunities.*

The purpose is...

HOW IS EMPLOYMENT EQUITY IMPLEMENTED?

First, employers identify and remove employment practices that act as artificial employment barriers faced by the four designated groups (women, visible minorities, aboriginal peoples, and people with disabilities).

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[5] Krahn, 1993.
[6] Saskatchewan Human Rights Commission.

Second, employers establish goals and approximate timetables for achieving a representative workforce that will reflect the proportion of *qualified* and eligible individuals from designated groups in the appropriate labour pool (not in the entire population). This means, in Saskatchewan, the workforce should be composed of 45% women in management and underrepresented positions, 5.4% members of visible minority groups, 12.2% aboriginal peoples, and 9.7% people with disabilities.

WHAT IS A DESIGNATED GROUP?

There is often a lot of confusion surrounding the definition of a designated group, who they are, who is considered eligible, and so on. A general definition of a designated group is a group of peoples who historically have been economically and socially disadvantaged in society and underrepresented in the workforce due to discrimination. The following section gives the definitions of the designated groups according to the SHRC.

Women

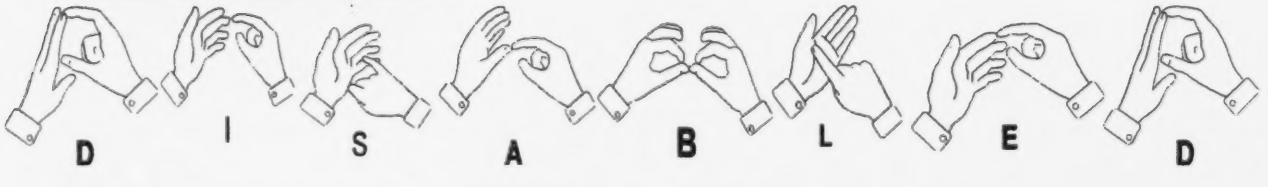
Women shall be considered Underrepresented in occupations within an employer's labour force if women occupy less than 45% of positions in those occupations. (The occupations in which women are underrepresented may vary by department).

Goals

(a) Short-term goals for hiring, promoting, or transferring women into such occupations shall be based on the availability of qualified female candidates.

(b) The long-term goal shall be to achieve representation by women which matches their participation in the provincial labour force. This is currently 45%.

Persons with Disabilities



(a) have a persistent physical, intellectual, mental, psychiatric, sensory, or learning condition that:

(i) requires a technical device and/or personal support or services to do the essential functions of the job; or

(ii) requires a modification of a job site or job responsibility, or adjustment of work hours, or extra rest breaks or time off/leave to obtain treatment as necessary;

and

(b) consider themselves to be, and have reason to believe an employer or a potential employer would consider them to be, disadvantaged in finding, retaining, or advancing in employment because of that condition.

Visible Minority

In Saskatchewan, members of visible minority groups are "persons, other than Aboriginal peoples, who are people of colour." Visible minority people are a diverse group. Examples of groups who are considered visible minority peoples are those whose ancestry is:

African	Arabic	East Asian
Chinese	Korean	Southeast Asian
Japanese	West Asian	Latin American
Filipino	Pacific Islanders	

Aboriginal Peoples

Aboriginal peoples are defined as First Nations, Métis and Inuit.[7]

Status Indians: Persons of Aboriginal blood/ancestry who are registered as Indians according to The Indian Act. Each status Indian is affiliated with an Indian Band. A status Indian (First Nations) is registered with the federal Department of Indian and Northern Affairs and is therefore more easily identified.

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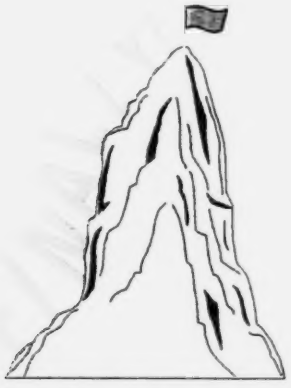
[7] First Nations Indian, and Métis are the three Aboriginal groups included in the Canadian Constitution, 1987.

Non-status Indians: Indian people or those who are descendants of Indian people, who have lost the right to be registered as Indians defined by The Indian Act, but who identify with the Indian community culturally and/or linguistically.

Métis: People who have Aboriginal blood/ancestry, those who self-identify as Métis, and those who are recognized by the Métis Nations.

Inuit: Aboriginal inhabitants of Northern Canada, Northern Quebec, and Labrador. The federal government's power to make laws with respect to Indians, and lands reserved for Indians, were interpreted to extend to the Inuit by the Supreme Court of Canada in 1939. The Inuit, however, are not covered by The Indian Act, and only the Inuit in Northern Quebec and Labrador receive services from the Indian and Inuit Affairs Program. [8]

In the next decade, employers will be confronted with the fact that 70% to 80% of all new labour force entrants will come from the four designated groups. Because of the changing demographics of Canadian society, employment equity is a good investment for the future, if not an economic necessity. Statistics Canada predicts that the proportion of Saskatchewan labour force participants of aboriginal ancestry will rise from 9.9% in 1991 to approximately 25% in 2016. Moreover, Canada's visible minority population is expected to account for approximately 20% of all adults by the year 2016. [9] The participation rate of women in the Canadian labour force rose from 51.7% to 57.6% between 1982 and 1992, and is expected to continue increasing. [10]



WHAT BARRIERS EXIST FOR DESIGNATED GROUPS?

A *barrier* can be defined as any "real and/or perceived obstacle or problem, which limits or impedes equal access to any participation in any service or program. These impediments usually can be linked to communications, services, practices, and policies that do not meet, or are unable to respond to the needs of people outside of the predominant *culture* of the organization." [11]

The four designated groups are not homogeneous; therefore, it is difficult to list a set of barriers that are common to all. Although there are barriers common to each group (i.e. negative attitudes), they do have different needs specific to a group as well as individual needs within each group.

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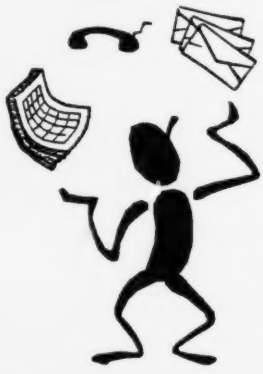
8 Government of Canada, 1997.
9 CLC National Anti-Racism Task Force, 1997.
10 Statistics Canada, May 1995 and Saskatchewan Human Rights Commission, 1997.
11 Saskatchewan Environment and Resource Management, 1996.

However, whether it is discrimination against people with disabilities, sexist attitudes directed towards women, intolerance directed against visible minority groups, or racism directed towards people of Aboriginal ancestry, the result is the same. People from these groups have been restricted from their rightful place in the labour force. [12]

Communication



One main barrier that is common to all people is *communication*. Every culture has its own worldview and these differences can often block communication between people. Recognizing and taking an interest in differing cultural perspectives can be a way to learn more about others and ourselves. The most obvious cross-cultural language problems arise out of poor translation from one language to another. For example, Chevrolet was baffled when its Nova model did not sell well in Latin American countries. Officials from General Motors finally realized the problem: in Spanish, *no va* means "does not go." [13]

Another issue regarding communication problems is the very value of speech itself. In some cultures, for example, speech is desirable and used for social purposes as well as task performance. On the other hand, silence can have a negative value in another culture. Silence may be interpreted as a lack of interest, unwillingness to communicate, hostility, anxiety, shyness, or a sign of interpersonal incompatibility or silence may be valued or seen as a sign of wisdom. Therefore, it is easy to see how communication problems can occur between men and women from differing cultures and ethnicity.

Eye contact is another communication technique that can lead to misunderstandings. For example, some people may use eye contact as a measure of how closely the other person is listening. Lack of eye contact may also be misinterpreted as a sign of inattention, rudeness, or dishonesty, when in fact, quite the opposite could be true. These types of communication issues not only apply to different cultures, but also to males and females as they relate to one another.

It is clear that different views of speech, non-verbal communication, and silence can lead to communication problems when people from different cultures (or gender) meet. People of different cultures and gender behave towards each other in ways they believe are proper; yet each may view the other with disapproval and mistrust. Only when they recognize different standards of behaviour can they adapt to one another, or at least understand and respect their differences.

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[12] Saskatchewan Environment and Resource Management, 1996.
[13] Adler & Towne, 1996.

WHAT GOVERNMENT PROCESSES ARE IN PLACE?

Government Employment Equity Processes

Employment equity policy recognizes a need for positive measures that will eliminate the historic imbalances in representation in the workplace. This does not mean that employment equity policy tries to make up for the injustices of history - this is not possible. What it does mean is making workplaces more accessible and hospitable to a greater diversity of individuals. By doing so, organizations are able to become representative of the increasingly varied composition of Canadian society.

The Employment Equity policy has checks and balances by requesting employers to file annual reports showing their progress in recruiting and promoting members from the four designated groups.

The process of implementing the SHRC employment equity requirements is often an opportunity for unions and employers to review and change long outstanding work conditions, including access to training and benefits, job descriptions, child care, accommodation, new technology, promotion opportunities, and retention.

Data from employees are collected through the workforce survey regarding their membership in one of the designated groups. The workforce survey is voluntary and confidential. In the Government of Saskatchewan, employees are asked to complete and return a form even if they are not members of a designated group.

Governance Structure

Letters of Understanding signed between the Government, SGEU and CUPE require each government department to establish an Employment Equity committee. Each Committee has equal representation from both management and SGEU or CUPE, unless otherwise agreed to. Department Employment Equity Committees (DEECs) have the responsibility of developing, implementing, monitoring, evaluating and updating employment equity plans in their respective departments.

The Joint SGEU/Management and the Joint CUPE/Management Employment Equity Committees are ongoing. Each committee consists of two co-chairs and an equal number of union and management representatives. This committee has ongoing responsibility to eliminate and prevent discriminatory policies practices and barriers and making recommendations for change. The committee provides direction or advice to department employment equity committees when necessary.

The Strategic Human Resource Advisory Committee is responsible for the Employment Equity Program, by ensuring that the program's activities are integrated with other human resource programs and services and the strategic direction of Executive Government.

The Public Service Act, 1998 stipulates the purposes of the Act, one of which is to strive to develop a public service that reflects the diversity of the people of Saskatchewan. The PSC is designated to co-ordinate the development and implementation of employment equity in the Government of Saskatchewan.

The Employment Equity Council is a committee composed of all departments and the Central Joint Committee. The departmental employment equity coordinator and co-chairs represent each department. This council exchanges information, provides input, direction and assistance to the Central Joint Committee, and consults with other departments.

NOTE: Although the federal Employment Equity Act was passed in 1986, employment equity in Saskatchewan is considered a voluntary program. Exceptions are employers operating in Saskatchewan that fall under federal jurisdiction.

COMPONENTS OF AN EMPLOYMENT EQUITY PLAN

Employers examine their practices and policies and implement specific positive initiatives to achieve employment equity in the following areas:

Positive Measures	Examples
Advertising	✓ Advertise out-of-scope and in-scope positions by designation or by simultaneous postings. ✓ Post advertisement in agencies and offices serving designated group members.
Recruitment	✓ Use inventories for resumes; record successes and difficulties. ✓ Review all vacancies for possible designation.
Alternative Hiring Practices	✓ Designate co-op and summer student positions for employment equity candidates. ✓ Partner with community groups and educational institutions to share information on employment opportunities and potential candidates.
Training and Development	✓ Offer developmental opportunities (secondments, TPHD) to designated group employees. ✓ Support and encourage designated group employees to seek managerial positions.
Ethnic, Racial and Gender Harassment	✓ Ensure all employees attend anti-harassment training. ✓ Publicize policies and complaint processes re harassment in the workplace.
Education & Awareness	✓ Conduct workshops on employment equity awareness. ✓ Publish employment equity articles in department newsletters. ✓ Participate in Employment Equity Week activities.
Retention	✓ Provide career counselling/training, ongoing opportunities for designated group employees. ✓ Support Aboriginal Government Employees Network (AGEN) and Visible Minority Support Group (VMSG) activities.

Accommodation	✓ Ensure buildings and meeting room are accessible and support services are available. ✓ Inform employees of policies re: balancing work and family.
Senior Management Involvement	✓ Senior managers forward a memo requesting that managers' workplans include employment equity recruitment and activities. ✓ Senior managers conduct performance evaluations that include employment equity recruitment as a criterion.
Research	✓ Follow up on employees who have not self-identified on the workforce survey. ✓ Determine the extent of knowledge of employment equity among employees.
Other Initiatives	✓ Include equity hiring and promotion as part of mission statement, objectives and corporate workplan. ✓ Encourage staff to mentor Aboriginal students in the Scott Collegiate mentoring program (Regina).
Employment Equity Committee	✓ List the members and positions, anticipated frequency of meetings and activities to be undertaken

WHAT IS THE UNION'S POSITION ON EMPLOYMENT EQUITY?

SGEU

The PS/GE Letter of Understanding outlines the terms of reference for the Joint Employment Equity Committee.

Develop an Employment Equity Plan which:

- *impacts on in-scope employees and positions;*
- *can be implemented without requiring changes to the collective agreement; and*
- *contains a structure for plan implementation, evaluation and revision that:*
  - → *involves the union,*
  - → *involves departments,*
  - → *ensures ongoing monitoring and evaluation of the plan, and*
  - → *includes realistic goals and time frames.*

Provide for input by interested individuals and groups during plan development. Identify and discuss issues and initiatives and make recommendations for their inclusion in the plan or for further research, analysis and investigation. The issues and initiatives may include, but would not be restricted to the following:

- *education and awareness programs,*
- *support mechanisms,*
- *training and development programs,*
- *special recruitment and promotional mechanisms,*
- *special accommodations for persons with physical disabilities, and*
- *conduct research and analysis as is necessary to develop the plan.*

The Committee obtains approval of the plan by the respective parties and then jointly seeks the approval of the Saskatchewan Human Rights Commission.

CUPE

The terms of reference for the joint CUPE/Management Committee on Employment Equity are to:

1. develop an annual action plan to work towards the stated objectives;
2. educate and create awareness of employment equity objectives and the plan among all employees;
3. jointly identify problems and develop resolutions for the problems;
4. evaluate progress and impact of program implementation;
5. make recommendations to the respective principles for endorsement.

The Letter of Understanding signed between the PSC and CUPE outlines the objectives of the employment equity program:

- ensure that there is equal opportunity in all aspects of employment by eliminating discrimination, whether intentional or unintentional;
- remove barriers to achieve equal representation of designated groups in the workforce;
- promote the view that fairness does not necessarily mean everyone should be treated the same, but rather those differences should be recognized, valued, and accommodated.

POLICIES ON HARASSMENT AND DISCRIMINATION

NO TOLERANCE

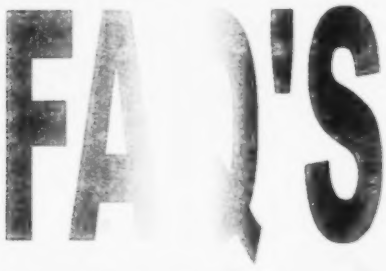
The Government of Saskatchewan, as an employer, seeks to provide a work environment which is supportive of the productivity, the dignity, and self-esteem of every employee. The *policy statement* is as follows:

> Employees have a right to be treated with respect, treated fairly, and treated without harassment. Employees are entitled to work in an environment free of racial, ethnic, and gender harassment. As such, the employer will not condone unwanted, unwelcome attention or behaviour that is sexual, ethnic, or racial in nature.
>
> It is the employer's responsibility to provide a workplace free of racial, ethnic, and gender harassment.

Harassment is illegal under The Saskatchewan Human Rights Code and The Occupational Health and Safety Act.

Saskatchewan Human Rights Code: Prohibits discrimination on the basis of race, creed, religion, colour, sex, marital status, physical disability, age, nationality, ancestry, place of origin, sexual orientation, family status, or the receipt of public assistance.

Saskatchewan Occupational Health and Safety Act: Identifies harassment as a threat to the health and safety of workers. It prohibits harassment based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry, or place of origin.



FREQUENTLY ASKED QUESTIONS AND MISCONCEPTIONS

1. WHAT IS A DESIGNATED POSITION?

Positions may be designated under the employment equity program as a means of recruiting equity candidates:

1. Positions may be designated for employment equity candidates only; or
2. Positions may be advertised simultaneously. The competition is open to all applicants. Qualified equity candidates will be considered first, other candidates may be considered if no qualified equity candidates are found.

2. WHO DESIGNATES POSITIONS FOR EMPLOYMENT EQUITY AND WHICH POSITIONS ARE DESIGNATED?

Positions are designated for Employment Equity purposes by department managers. Candidates for designated positions must self-identify and provide documentation of proof if challenged.

3. ARE THE PEOPLE HIRED FROM THE DESIGNATED GROUPS QUALIFIED?

Absolutely. Those who make hiring decisions are encouraged to be thorough and comprehensive in their recruitment strategies. If there are no qualified people from a particular designated group within the relevant labour market, employers are under no obligation to hire unqualified people as a result.

4. ARE THERE HIRING QUOTAS THAT A WORKPLACE IS OBLIGATED TO MEET?

No, there are no hiring quotas. However, there are goals for employers to guide and measure their progress in hiring practices. Ideally, each workplace should be representative of the working age population. This means 45% women in underrepresented positions and women in management, 9.7% people with disabilities, 12.2% Aboriginal people, and 5.4% people from visible minority groups.

5. ARE JOB STANDARDS OR REQUIREMENTS LOWERED FOR DESIGNATED POSITIONS OR FOR EMPLOYMENT EQUITY CANDIDATES?

No, job qualifications for designated positions are not lowered, nor are the qualifications lowered for people who are candidates under the employment equity program. Every candidate must meet the minimum required standards for any job, including those candidates who are not under the employment equity program. Employment equity is designed to "establish more realistic and relevant standards for employment. It does not lower them. It means employers may have to develop selection criteria that measure the skills required for the job instead of artificial criteria that serve only to restrict applicants and screen out [designated] group members." [14] The process of redefining the selection criteria is a benefit to all potential candidates, as often the minimum standards for employment opportunities can be inflated.

6. ARE NON-DESIGNATED PEOPLE LOSING THEIR JOBS BECAUSE OF EMPLOYMENT EQUITY?

No, employees will not lose their jobs due to the implementation of employment equity. In fact, quite the opposite has occurred. When issues such as downsizing occur in government, often the people who lose their jobs are the people from designated groups. One of the main reasons for this is they usually occupy entry-level positions and/or do not have the seniority that other employees do. Also, positions to be designated must be vacant positions, meaning the position is not presently being occupied by anyone. This ensures that current employees are not removed from their jobs to meet the employment needs of the designated groups. This however, does not include an employee backfilling a position while the recruitment and staffing action proceeds. An employee hired to backfill a position during the recruitment and staffing action is informed in his or her letter of offer of his or her employment status. [15]

7. WHY SHOULD WE PAY THE PRICE FOR WHAT OUR ANCESTORS DID?

The goal of employment equity is not to make up for past mistakes; this is not possible. What employment equity tries to do is avoid making present and future mistakes. Employment equity promotes eventual equality and equal opportunity for all.

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[14] Saskatchewan Human Rights Commission, 1997.

[15] Government of Saskatchewan, 1996/97.

8. IS EMPLOYMENT EQUITY REVERSE DISCRIMINATION?

The issue of reverse discrimination is often one that sits at the forefront of peoples' minds when they think of employment equity. The term "reverse discrimination" has been used to suggest that the efforts to practice employment equity for one group automatically results in discrimination against another. But an employment equity program that focuses on eliminating barriers to ensure all applicants have a fair opportunity to compete need not result in reverse discrimination. However, some people do believe that they have been disadvantaged by employment equity programs and feel that they are victims of discrimination (i.e. not being able to apply for a job that they are qualified for because it is a designated position). "While anyone who believes they should have been hired or promoted could have reason to feel wronged, there is simply no basis in fact or law for blaming this decision on employment equity." [16]

Reverse discrimination implies or assumes that we are all equal to begin with and now Caucasian people and males are being discriminated against. Employment equity is an attempt to open the opportunities that Caucasian people and males have always had, to women, minorities, aboriginal people, and people with disabilities, through aggressive recruitment. Because employment equity is a remedy and not a right, it is not intended to be permanent, but at this time is a necessary tool to bring all people to an equal playing field. This is not to take privilege and opportunity away from Caucasian people and males, it is to provide those same privileges and opportunities to everyone else. Employment equity as a process does not "give" special treatment to the designated groups; it provides the rights that they should have had in the first place.

9. IS EMPLOYMENT EQUITY (EE) THE SAME AS AFFIRMATIVE ACTION (AA)?

No, employment equity (Canada) and affirmative action (United States) are not the same, although they have the same underlying principle, which is to eliminate discrimination in the workplace. Both programs were implemented when it became clear that anti-discrimination statutes alone were not enough to break long-standing patterns of discrimination. Furthermore, the United States affirmative action program is not voluntary, whereas employment equity in Saskatchewan is. Affirmative action is a court-imposed program that if not complied with, will result in strong sanctions. Compliance with affirmative action often resulted in unqualified people being hired. Moreover, affirmative action required using quotas to meet the goal of a diverse workplace, which also resulted in the hiring of unqualified candidates. This, however, is not the case with employment equity.

[16] The Employment Equity Review, 1993.

10. WHY IS THE GOVERNMENT ALLOWED TO REGULATE AND GOVERN PERSONAL BEHAVIOURS AND BELIEFS?

The government is not regulating behaviour anymore now than it did when it legalized seat belts. Employment equity is not about regulating personal beliefs and behaviours, it is about ensuring a safe and representative workplace for employees. Both employers and employees need to accept responsibility for their behaviours and to make sure that public behaviours respect other individuals.

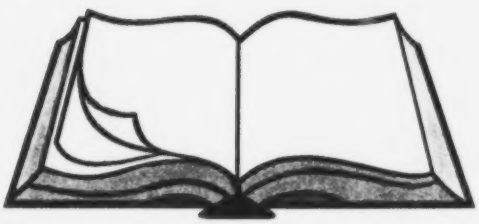
11. DO CROWN CORPORATIONS FOLLOW THE SAME EMPLOYMENT EQUITY PROGRAMS AS EXECUTIVE GOVERNMENT?

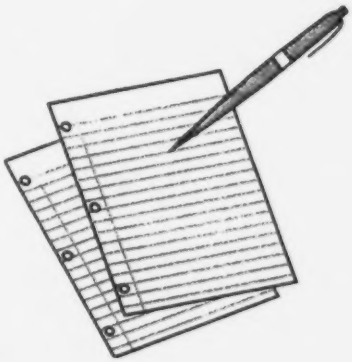
Not necessarily. The underlying principle may be the same, which is to have a representative workforce. However, that does not mean that the process is the same. The Crown sector is autonomous of executive government and their policies and implementation practices are not connected. Equity practitioners jointly work on projects to promote and implement employment equity.

12. WHAT IS DIVERSITY AND IS IT THE SAME AS EMPLOYMENT EQUITY?

Diversity programs and employment equity programs are not contradictory to each other, rather they complement each other. Both programs are designed to reflect the variation in our human population. Diversity is a more general concept, which encompasses consideration of a greater range of human characteristics (i.e. personality, sexual orientation, education, style, and family status). For this reason, diversity programs have been seen as a way to address "backlash". "There is supposedly less of a tendency for people who are not members of the employment equity groups to feel they are the subject of reverse discrimination." [17]

The ultimate goal of both diversity programs and employment equity programs is the achievement of an equitable employment system free of discriminatory practices.





[17] Saskatchewan Women's Secretariat, 1997.

WHAT CAN YOU DO?

Assessing personal attitudes and behaviours is the first step towards developing a work environment where everyone is welcome and everyone is included. Unfortunately, being "aware" of the barriers that may exist is not enough. One must take "action" to remove the barriers and expand this understanding into the entire workplace and community.

Inclusion means taking steps to ensure all people have access to everything a community has to offer by eliminating unnecessary barriers. What beliefs does your workplace and/or community need to adopt in order to become "inclusive"?

- **We believe all people have a right to be respected and should be treated with dignity.**
- **We believe it is important to understand people of different cultures and backgrounds and that knowledge is the first step to acceptance.**
- **We believe improving access is the key to inclusion and we will make every effort to create and improve access.**

For every belief statement you develop, you now must establish a code of behaviour or take some action that would support that belief. **Your behaviour should reflect your policy statements.**

An example of action may be:

- **I will not make assumptions about a person's abilities based on their physical appearance.**
- **I will not tell racist or sexist jokes and I will tell others that I am not interested in hearing them.**

By establishing personal policies such as this, you will begin to eliminate some of the actions that lead to discrimination. [18]

[18] The above information was originally distributed by the former Saskatchewan Department of Municipal Government.

IDEAS AND ACTIONS

Now that you have read about Employment Equity and its procedures, the question becomes "How do you begin to own it?" Feeling like one is a part of the policies that affect them aids in the process of acceptance of those policies and lends to a workforce that is less stressful, more productive, and has a more cheerful atmosphere.

Use this page to record your ideas and feelings about implementing employment equity in your workplace. Photocopy the page and share it with your co-workers and friends so they too can create a personal policy. Your personal policy statement can and will make a difference for you and others. Go for it!

My personal policy is...

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Signature

"To learn is to change.

Education is a process that changes the learner."

- George Leonard -

WORK UNIT EXERCISE

It is important to make personal changes but it is also useful to discuss in your work unit or branch what everyone can do together in order to help implement employment equity. Use this page to help initiate discussion among your co-workers, supervisors, and managers.

What can we do...

What steps would you take to increase the representation of designated group members in your workplace?

What would you do to help retain designated group employees?

What would you do if you encountered resistance to employment equity hiring in your workplace?

What would you like to see PSC and the unions do to assist you to promote employment equity?

Supplementary Statistical Tables
and
Employment Equity clauses in the
PS/GE and CUPE/PSC Collective Agreements
may be found in:

www.gov.sk.ca/psc/equity

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Appendix A
Barriers

Women

- Negative stereotypical myths and assumptions exist about the ability of women to perform successfully in management or underrepresented positions.
- Policies, procedures, systems, communication, and programs institutionalize predominant biases and stereotypes.
- Inflated job standards screen out certain individuals.
- There are few female role models and mentors for other women to look up to.
- Women in managerial positions often have to work harder in order to prove they are qualified.
- Women who occupy higher level positions are often seen as "token" in nature and are not seen as rightfully holding that position because they are qualified.
- The changing role of women in the workplace needs to be addressed; women need equal and accurate access to information and participation in developing policy, strategic plans, budgets, planning documents, and special assignments.
- Women of multiple designated status (i.e. aboriginal women with a disability, visible minority women, and women with a disability) are at an even greater disadvantage in terms of workplace discrimination.

People of Aboriginal Ancestry

- The Indian Act and The British North American Act took from native people the responsibility to govern themselves, hence fostering dependency on the state, later resulting in negative perceptions of Aboriginal people.
- The image the media presents is often negative and damaging, which reinforces negative stereotyping.
- Few Aboriginal people are employed at managerial levels, therefore there are few role models and mentors.
- Those who occupy higher level positions are considered to be "token" in nature and not qualified.
- There is no recognition of transferable skills, for example, skills acquired as an administrator in a band council office.

- Qualifications and requirements exclude groups of people.
- Injustices and inequalities are not acknowledged.

People with Disabilities

- Perceptions about people with disabilities are based on a medical model leading to negative images.
- Society is trained to believe that youth, health, and athleticism are signs of success, therefore, people with disabilities are often viewed as being unable to do the job.
- Society has further been socialized to view people with disabilities with fear and pity.
- Inflated job standards screen out certain individuals.
- There are few role models, and the people who do achieve, must cope with the stress of verifying their performance over and over again.
- Individuals who occupy higher level positions are often considered "token" in nature.
- Policies on accessibility standards for buildings, communications, and evacuation procedures are not adequately publicized.
- It is assumed that accommodation for people with disabilities is too expensive.
- Support may not exist within the system for people with disabilities.
- Hours of work are inflexible.

Visible Minority Groups

- People of varying visible minority groups are often segregated into certain types of jobs because society has been trained to stereotype abilities based on group membership (i.e. people of Chinese descent should work in computer related fields).
- Visible minority groups experience racism and discrimination based on their group membership.
- Employers may feel that one requires "Canadian experience" in order to fulfill a particular job position.

- Visible minority persons are often viewed as foreigners even though they may have been born in Canada.
- There is a failure to recognize and value the culture and history of visible minority groups.
- Few visible minority people occupy higher level positions, therefore, there are few role models and mentors.
- Those who have gained the credentials to occupy higher level positions are often required to prove their abilities over and over again.
- Translation and interpretation services are not readily available.
- There is no recognition of transferable skills and education acquired outside of Canada.

Appendix B

Equity Checklist

EQUITY

CHECKLIST

The Equity Checklist has been developed for you to assess your own attitudes and behaviours towards people who you think may be different from you. It will also help you discover if your attitudes and behaviours are creating barriers for specific people. It provides an opportunity to recognize your strengths and weaknesses and develop some personal goals to make positive change. It is also designed to raise your sensitivity towards issues facing people who experience unfair disadvantages.

		yes /	no /	sometimes
1.	**Do you ever tell or listen to racist jokes**	❑	❑	❑
	Do you think these jokes are harmless?	❑	❑	❑

Words are powerful and have an affect on how we perceive and feel about people. Many times these jokes stem from the desire to put someone else down in order to make ourselves feel or look better. Verbal assault on Aboriginal people or persons of different ethnic backgrounds may seem harmless, but you are promoting stereotyping and many times a negative image of that group of people. Think before you repeat racist jokes and change the joke so it is not offensive.

2.	**Do you find yourself using statements that "label" members of a certain ethnic group? (i.e. lazy, hard working, cheap)**	❑	❑	❑

Stereotyping is common among people who would rather deal with labels than with individuals. Instead of recognizing that each person has unique abilities and talents, people who characterize all persons of the same race or colour, choose to accept a stereotypical image of a group. These kinds of generalizations can lead to discrimination or actions that may disadvantage or humiliate that group of people. Label jars – not people.

3.	**Do you assume people who share similar physical characteristics are of the same nationality or race?**	❑	❑	❑

Recognition and respect of various cultures and ethnic backgrounds will help you appreciate the diversity of people and the benefits of several cultures sharing.

yes / no / sometimes

4. **Do you believe Aboriginal people are too dependant on government?** ❑ ❑ ❑

The First Nations people of Saskatchewan have faced many challenges over the past 120 years. The ability of Aboriginal people to direct and choose their future came to a halt in the early 1870s with the increase of European settlement. Several laws and regulations were put in place to control the development of the Aboriginal culture and lifestyle. The Pass and Permit system restricted travel and trade. Children were forced to attend residential schools, and a loss of political leadership within the First Nation community led to the loss of power and breakdown of family, community, and culture. This approach led to the denial of basic rights for the Aboriginal people that we now believe all Canadians are entitled to. This situation also created and resulted in Aboriginal people becoming dependent on the very people who were oppressing them. The struggle to regain independence and self-reliance has not been easy for Aboriginal people. We cannot change history, but we can work towards honouring the Treaties signed by our ancestors.

5. **Do you understand why employment has a major impact on the quality of life for individuals?** ❑ ❑ ❑

There is evidence that equal access to employment has been denied to certain people. This is not only a violation of human rights, but has a major impact on the economic development of our communities and the province. It also has an impact on an individual's feeling of self-esteem and self-worth. Many times, employment for groups of varied ancestry, women, and people with disabilities tends to be restricted to low-paying jobs with little opportunity for advancement to managerial, professional, or decision-making positions.

Attitudinal barriers, occupational segregation, pay inequities, lack of training and educational opportunities, as well as cultural barriers all have an impact on employment. Efforts must be made to network with educational institutions and organizations to seek out potential employees. Jobs that don't require higher education must be reassessed in order to open up employment opportunities. A positive, supportive atmosphere must be provided in order to retain people from designated groups, and training opportunities provided to assist them in advancing to management levels.

6. **Do you believe that it is next to a miracle if a person with a disability establishes independence and is self-sufficient?** ❑ ❑ ❑

The media often presents stories of people with disabilities as superheroes if they can gain employment, education, or independence. This may lead one to believe that if people with disabilities accomplish anything, it is newsworthy! The fact is that many people with disabilities lead fulfilling lives similar to non-disabled people.

yes / no / sometimes

7. Do you find yourself describing a person with a disability as a victim and someone to feel sorry for? ❑ ❑ ❑

People with disabilities don't need your pity and prefer not to be presented as a charity case. To make positive change, and support a person with a disability, start building an inclusive community by improving access to transportation, employment, education, recreation, housing, and information. Avoid using terms such as "confined to", "victim of", "suffer from" or "less fortunate". Choose words with dignity and respect. Always refer to the person first – a person with a disability, a person who is blind, a person with a developmental disability. If you think a person needs assistance – ask first. People with disabilities have developed different techniques to accomplish the same goal. They have the right to choose to perform the task independently or accept your offer to help.

8. In looking back, do your actions ever indicate to a person with a physical disability that you consider them to be mentally disabled as well? ❑ ❑ ❑

If you had a broken arm, would you consider your mental abilities to be diminished in any way? Probably not. When people have physical disabilities it doesn't necessarily mean their cognitive or communication abilities are affected. Sometimes when the physical disability affects the clarity of language, you may have to be patient or look for other ways to communicate – but it doesn't mean that person doesn't have the intellect.

9. Do you feel that people with disabilities expect far too much from the community and improving access is too expensive and a hassle? ❑ ❑ ❑

All Canadians have a right to choose a life for themselves. When choices are denied or ignored, it creates dependence and exclusion. People with disabilities have a right to fully access community services, programs, and facilities. Involving people with disabilities in the planning of facilities and programs will save the cost of renovation later, and create an environment that is more accessible to everyone. Curb cuts work just as well for strollers as they do for wheelchairs.

10. Do you think that a ramp is all that is needed to improve access? ❑ ❑ ❑

The fact is that many times a ramp will improve access for people who have mobility disabilities. It is important to recognize that there are other people with hearing, visual, or cognitive disabilities who need access not only to buildings, but information, programs, employment, and emergency systems. A ramp will not improve access if there are psychological barriers based on the belief that persons with disabilities are not capable of contributing and participating in community life. Access means creating an environment, both physical and attitudinal, that create benefits for everyone.

Yes / no / sometimes

11. Do you believe the words handicapped and disabled mean the same thing? ❑ ❑ ❑

In fact, they do not mean the same thing. A disability refers to a limiting impairment a person may have. Disabilities require some individuals to find non-traditional methods to perform certain activities or achieve certain goals. Frequently, however, the individual's abilities are restricted further by handicaps.

The word "handicapped" is used when discussing the social or physical environment – external circumstances that present a barrier to full participation. Examples of handicaps for a person with a disability would be inaccessible entrances, lack of alternate information services and negative attitudes. People within a community should work towards removing the "handicaps" for people with disabilities.

12. Do you feel fitness and active living are more important for young men than for young women? ❑ ❑ ❑

Take a look at the programs in you community. Do they support young women and are they designed to meet their needs? Low levels of self-esteem in young women can lead to other problems in life. There is strong evidence to suggest that active living and keeping fit have a positive effect on self-esteem, particularly for young women.

13. Do you believe that a women needs to be protected and taken care of and that it is a man's job to do this? ❑ ❑ ❑

Both women and men can play a supportive role for each other. As well, each person has a right to explore and take risks they feel are appropriate in their life.

14. Do you believe that most people who complain of sexual harassment have no sense of humour or are not being good sports about the comments? ❑ ❑ ❑

Sexual harassment is any unwanted or unwelcome attention of a sexual nature. No one should have to be subjected to derogatory remarks or degrading actions. Everyone has the right to define how they want to be treated.

15. Do you use terms like "tom-boy" or "butch" when describing a women who may demonstrate what you may consider to be male traits or catch yourself making comments like "you are acting like a girl"? ❑ ❑ ❑

If you were to look at humanity as a whole and classify character traits that were necessary in order for people to co-exist in a community setting, (compassion, assertiveness, sensitivity, and strength) would you define them as being male or female – or would they apply to everyone? Everyone, at some point in time will display a vast array of emotions and qualities. They are not unique to a certain gender.

		yes	/ no	/ sometimes
16.	**Do you often find yourself describing how a woman looks instead of her skills, personality, or abilities?**	❑	❑	❑

Many times women are judged solely on their appearance. The image of the perfect "10" is not only unreasonable, but also impossible for the majority of women (and men) to achieve. You ignore or downplay all the other qualities that a person has by using this type of measurement.

17.	**When you walk into an office reception area, and see a women behind the desk, do you assume she is the secretary?**	❑	❑	❑
	Would you assume a man behind the reception desk was the secretary?	❑	❑	❑

Though traditional roles and employment for women have generally been in the administrative support area, employment in non-traditional jobs is becoming a reality. One should not assume that the stereotypical roles women and men have played are the only roles they can play.

Source: Saskatchewan Department of Municipal Government

HANDOUTS

Table 1
Designated Group Representation in Government: 1995 – 1999[1]

	March/95	March/96	March/97	March/98	March/99[2]
Persons of Aboriginal Ancestry	670 (5.9%)	667 (6.5%)	682 (6.8%)	721 (7.0%)	1123 (8.4%)
Persons with Disabilities	359 (3.1%)	344 (3.3%)	327 (3.3%)	318 (3.1%)	340 (2.5%)
Members of Visible Minority Groups	237 (2.1%)	235 (2.3%)	243 (2.4%)	262 (2.5%)	363 (2.7%)
Women in Government	6367 (55.7%)	5500 (53.3%)	5409 (54.2%)	5644 (54.9%)	7179 (53.7%)
Total	11427	10317	9977	10285	13357
Women in Management[3]	1793 (31.8%)	1791 (32.7%)	576 (34.7%)	611 (35.2%)	649 (35.5%)
Women in Non-Traditional Positions[4]	435 (15.4%)	540 (17.0%)	552 (19.2%)	581 (20.3%)	1026 (20.9%)

[1] Figures are based on voluntary self-identification.
[2] Comparisons between 1999 and previous years are not accurate due to changes in data parameters. See pages 9 and 10 for further explanation.
[3] Women in all levels of the Management and Professional Classification Plan (1995-99) and Senior Executive Levels (1998 and 1999 only) are included. Percentages are based on total management positions/jobs.
[4] In 1996, the definition for non-traditional or under-representation was changed from 30% to 45% female representation in an occupational group. In 1998, the list of non- traditional occupations was revised to accommodate the new classification plan for SGEU employees. Data for years prior to 1999 are therefore not historically comparable. Percentages are based on total non-traditional positions/jobs.

Table 2
Designated Group Representation in Management Positions[1]: 1995 – 1999

		March/95	March/96	March/97	March/98	March/99
Persons of Aboriginal Ancestry		2.3%	2.6%	3.1%	3.3%	3.1%
Persons with Disabilities		3.7%	4.0%	3.9%	3.5%	3.3%
Members of Visible Minority Groups		2.3%	2.5%	2.5%	2.5%	2.5%
Women:	Levels 11-12B and SE[2]	21.4%	21.1%	25.0%	29.5%	26.8%
	Levels 7-10	25.6%	28.1%	28.4%	30.3%	31.2%
	Levels 1-6	35.9%	35.9%	38.7%	38.4%	39.9%
Total		31.8%	32.7%	34.7%	35.2%	35.5%

[1] Includes Management and Professional Levels 1-12B
[2] SE – Senior Executive

Table 3
WORKFORCE ANALYSIS OF PERMANENT STAFF
Distribution of Designated Group Members
March 31, 1999

Occupational Group	Total	Female		Aboriginal Employees				Employees with Disabilities				Visible Minority Employees			
		Total	%	F	M	T	%	F	M	T	%	F	M	T	%
Building and Shop Trades	196	1	0.5	0	10	10	5.1	0	4	4	2.0	0	1	1	0.5
Inspection and Regulatory	537	138	25.7	4	30	34	6.3	5	6	11	2.0	0	3	3	0.6
Finance and Revenue	379	260	68.6	6	5	11	2.9	10	3	13	3.4	6	8	14	3.7
Program Consultation	568	258	45.4	14	6	20	3.5	14	7	21	3.7	1	10	11	1.9
Science and Technology	656	197	30.0	4	14	18	2.7	3	11	14	2.1	6	15	21	3.2
Instructional	51	22	43.1	0	2	2	3.9	0	1	1	2.0	1	3	4	7.8
General Operations	1467	147	10.0	12	197	209	14.2	4	8	12	0.8	1	15	16	1.1
Program Support	1435	1316	91.7	85	5	90	6.3	48	13	61	4.3%	24	2	26	1.8
Human Services	1291	639	49.5	136	95	231	17.9	23	29	52	4.0	14	25	39	3.0
Management Support Group	207	205	99.0	12	1	13	6.3	6	0	6	2.9%	2	0	2	1.0
M&P Levels 1 to 6	932	350	37.6	12	17	29	3.1	8	19	27	2.9	10	17	27	2.9
M&P Levels7-12 + SE	811	238	29.3	8	14	22	2.7	9	17	26	3.2	1	17	18	2.2
Other Out-of-Scope	12	1	8.3	0	0	0	0.0	0	1	1	8.3	0	3	3	25.0
C.U.P.E.	381	281	73.8	9	1	10	2.6	6	7	13	3.4	7	8	15	3.9
Total	8923	4053	45.4	302	397	699	7.8	136	126	262	2.9	73	127	200	2.2

Notes:
1. Totals and percentages are calculated across occupational groups.
2. Includes permanent and labour service.
3. Jobs are being counted, not individuals.
4. Includes all active and definite leave and labour service on lay-off.
5. Excludes non-public service jobs in pay schedules: Human Rights Commission, Ministerial Assistants, Legislature, Judges and Contract Agreements.
6. Excludes non-PSC appointments.
7. SE means Senior Executive.
8. The occupational group categories are those defined in the new classification plan implemented on October 1, 1998. As a result of the new occupational categories, any SGEU promotions prior to October 1, 1998 are not included.
9. Note that the total of permanent and non-permanent positions in Table 5 and Table 6 (13,295) do not match the total positions in government in Tables 1-4 (13,357). There are 62 jobs that have not been reallocated to the new classification plan as of March 31, 1999. Similarly, the statistics for women and persons of Aboriginal ancestry have also been affected.

Table 4
WORKFORCE ANALYSIS OF NON-PERMANENT STAFF
Distribution of Designated Group Members
March 31, 1999

Occupational Group	Total	Female		Aboriginal Employees				Employees with Disabilities				Visible Minority Employees			
		Total	%	F	M	T	%	F	M	T	%	F	M	T	%
Building and Shop Trades	9	0	0.0	0	1	1	11.1	0	0	0	0.0	0	0	0	0.0
Inspection and Regulatory	118	34	28.8	2	0	2	1.7	0	0	0	0.0	0	1	1	0.8
Finance and Revenue	91	74	81.3	3	0	3	3.3	2	1	3	3.3	4	0	4	4.4
Program Consultation	134	97	72.4	3	1	4	3.0	3	0	3	2.2	2	0	2	1.5
Science and Technology	207	117	56.5	1	2	3	1.4	2	3	5	2.4	0	3	3	1.4
Instructional	64	25	39.1	0	1	1	1.6	2	0	2	3.1	0	1	1	1.6
General Operations	149	72	48.3	2	6	8	5.4	1	0	1	0.7	0	2	2	1.3
Program Support	1345	1273	94.6	97	9	106	7.9	33	11	44	3.3	32	7	39	2.9
Human Services	1767	1004	56.8	149	113	262	14.8	6	7	13	0.7	26	64	90	5.1
Management Support Group	52	46	88.5	6	1	7	13.5	0	0	0	0.0	2	1	3	5.8
M&P Levels 1 to 6	62	47	75.8	4	2	6	9.7	4	0	4	6.5	1	0	1	1.6
M&P Levels7-12 + SE	22	14	63.6	0	0	0	0.0	1	2	3	13.6	0	0	0	0.0
Other Out-of-Scope	0	0	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0	0.0
C.U.P.E.	352	286	81.3	9	1	10	2.8	0	0	0	0.0	12	5	17	4.8
Total	4372	3089	70.7	276	137	413	9.4	54	24	78	1.8	79	84	163	3.7

Notes:

1. Totals and percentages are calculated across occupational groups.
2. Includes non-permanent jobs only (temporary, part-time and casual).
3. Jobs are being counted, not individuals.
4. Excludes non-public service jobs in pay schedules: Human Rights Commission, Ministerial Assistants, Legislature, Judges and Contract Agreements.
5. Excludes non-PSC appointments.
6. SE means Senior Executive.
7. The occupational group categories are those defined in the new classification plan implemented on October 1, 1998. As a result of the new occupational categories, any SGEU promotions prior to October 1, 1998 are not included.
8. Note that the total of permanent and non-permanent positions in Table 5 and Table 6 (13,295) do not match the total positions in government in Tables 1-4 (13,357). There are 62 jobs that have not been reallocated to the new classification plan as of March 31, 1999. Similarly, the statistics for women and Aboriginal ancestry have also been affected.

Appendix E
PS/GE Collective Agreement Excerpts

6.1.10 Employment Equity Staffing

A) The parties are committed to Employment Equity and the joint development, implementation, monitoring, evaluation and updating of the Employment Equity plan as negotiated between the parties, and approved by the Saskatchewan Human Rights Commission.

B) The parties agree to promote employment opportunities and equitable treatment for persons of Aboriginal ancestry, persons with disabilities, visible minority persons, women and such other groups as may be identified and/or agreed to by the parties.

C) Employment Equity staffing is defined as the staffing of positions designated for qualified members from the designated groups. All levels of positions shall be considered and may be utilized for Employment Equity staffing. The Commission agrees to notify the Union of positions to be staffed through Employment Equity.

D) Terms of Reference for the Joint Employment Equity Committees are contained in LOU 98-4.

6.1.10.1 Positions Posted Solely for Designated Group Members

A) Positions may be advertised solely for members from the designated groups. Only designated group members can be considered for such positions. All Employment Equity candidates must self identify in writing that they are a member of a designated group when applying. The order of selection shall be:

first:	senior qualified designated group candidate; then
second:	qualified out-of-service designated group candidate.

6.1.10.2 Positions Posted Simultaneously

A) Positions may be posted simultaneously as designated and non-designated. Any candidate may apply for positions posted simultaneously. All Employment Equity candidates must self identify in writing that they are a member of a designated group when applying.

B) The order of selection shall be:

first:	senior qualified in-service designated group candidate;
second:	qualified out-of-service designated group candidate;
third:	senior qualified in-service candidate; then
fourth:	qualified out-of-service candidate.

C) The criteria for defining membership in the designated groups shall be as agreed to by the parties.

D) The department shall provide notification to the Joint Employment Equity Committee co-chairs in the department where an Employment Equity staffing action is taking place.

E) An inventory of designated group candidates shall be maintained by the Commission and be utilized as one of the recruitment tools for staffing purposes.

F) Positions which are restricted to a specific designated group must meet one (1) of the following criteria:

1. there is a need to increase the proportional representation of a particular designated group in the workplace in a specific geographic area as identified by the department's yearly objectives or results; or

2. there is a need to represent one (1) of the designated groups, as an employee of a particular agency; or

3. there is a demonstrated need for the position to serve a client group, which is predominantly made up of members of one (1) or more of the designated groups.

G) An existing employee shall not have his active employment status terminated as result of an Employment Equity staffing action. This does not include an employee backfilling the position while the recruitment and staffing action proceeds. An employee hired to backfill a position during the recruitment and staffing action will be informed in his letter of offer of his employment status.

LETTER OF UNDERSTANDING
98-4
EMPLOYMENT EQUITY

REGARDING EMPLOYMENT EQUITY

The parties to the Collective Agreement wish to acknowledge the late Karen Warner for her contribution to the development and implementation of an Employment Equity Plan in the Executive Government of Saskatchewan.

Central Joint Employment Equity Committee

Both parties shall appoint members to the Central Joint Employment Equity Committee who are from the designated groups. The Committee shall be gender balanced and have equal Union and management representation.

The parties agree that the Central Joint Employment Equity Committee has ongoing responsibility for the plan that identifies, eliminates and prevents discriminatory policies, practices and barriers. Where barriers are identified, the Central Employment Equity Committee shall examine any related policies, procedures and practices to make recommendations for change.

To this end, the Central Joint Employment Equity Committee shall facilitate and approve specific strategies for departments/agencies to deal with the under-representation of persons of aboriginal ancestry, persons with disabilities, members of visible minority groups, and women in non-traditional occupations, throughout the Public Service.

The Central Joint Employment Equity Committee shall provide direction or advice to the department/agency employment equity committees when necessary.

The Central Joint Employment Equity Committee shall meet with the Joint Employment Equity Council which consists of department/agency employment equity co-chairs and coordinators four (4) times per year or as circumstances warrant.

The co-chairs of the Central Joint Employment Equity Committee or their designates shall meet with each department/agency employment equity committee a minimum of once per year.

Department/Agency Employment Equity Committees

Department/agency employment equity committees shall be established and include members from the designated groups, be gender balanced and have equal Union and management representation; unless agreed to by the parties to the Collective Agreement.

Department/agency employment equity committees have responsibility for the development, implementation, monitoring, evaluation and updating of employment equity plans in their respective departments and agencies.

Department/agency employment equity committees shall provide to the co-chairs of the Central Joint Employment Equity Committee, copies of their annual reports of the past year's activities and plans for the next year's activities.

Departments and agencies shall have specific strategies to increase the under-representation of the designated groups.

Department/agency employment equity committees shall keep and provide minutes to the co-chairs of the Central Joint Employment Equity Committee.

Department/agency employment equity committees shall collect minutes from workplace, local and regional committees within their departments and forward them to the co-chairs of the Central Joint Employment Equity Committee.

Department/agency employment equity committees or either co-chair shall refer unresolved issues or difficulties to the Central Joint Employment Equity Committee for resolution.

Regional Workplace and Local Employment Equity Committees

Regional workplace and local employment equity committees are committees that are formed within the department/agency and are responsible to the department/agency employment equity committee.

TERMS OF REFERENCE FOR THE JOINT EMPLOYMENT EQUITY COMMITTEE

Develop an Employment Equity Plan which:

- impacts on all employees and positions in the public service;
- can be implemented without requiring changes to the collective agreement; and
- contains a structure for plan implementation, evaluation and revision that:

  - involves the Union,
  - involves departments,
  - ensures ongoing monitoring and evaluation of the plan; and
  - includes realistic goals and time frames.

Provide for input by interested individuals and groups during plan development.

Identify and discuss issues and initiatives and make recommendations for their inclusion in the plan or for further research, analysis and investigation. The issues and initiatives may include, but are not restricted, to the following:

- educational and awareness programs,
- support mechanisms,
- training and development programs,

- special recruitment and promotional mechanisms, and
- special accommodations for persons with disabilities.

Conduct research and analysis as is necessary to develop the plan.

The Committee will obtain approval of the plan by the respective parties and will then jointly seek the approval of the Saskatchewan Human Rights Commission.

CRITERIA FOR PROOF OF MEMBERSHIP IN THE DESIGNATED GROUPS

The following defines the criteria for membership for three of the designated groups for the Government of Saskatchewan's employment equity program as approved by the parties to the this agreement.

1. Persons with Disabilities are Persons who:

   a) have persistent physical, intellectual, mental, psychiatric, sensory or learning conditions that:

      i) require a technical device and/or personal support or service which enables such persons to perform essential functions of a job; and/or
      ii) require some form of accommodation such as extra rest breaks, or time off/leave to obtain treatment as necessary, or modifications to job responsibility, job site or work hours; and

   b) consider themselves, and believe an employer or a potential employer would consider them disadvantaged in finding, retaining or advancing in employment because of that condition.

2. Persons of Aboriginal Ancestry:

2.1 'Metis' means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit, and:

   a) is a descendent of those Metis who received or were entitled to receive land grants and/or Scrip under the provision of the *Manitoba Act, 1870* or the *Dominion Lands Act*, as enacted from time to time; or

   b) a person of Aboriginal descent who is accepted by the Metis Nation and/or Metis Community.

2.2 First Nations Person:

A First Nations person is a person who is registered as an Indian under the *Indian Act* (also referred to as Status or Treaty Indian).

2.3 Non-Status Indian:

Non-Status Indians are Aboriginal people who are not registered under the *Indian Act* but who identify with a First Nations or Inuit community culturally or linguistically.

3. Visible Minority Persons:

Members of visible minority groups means persons who are, because of their race or colour, in a visible minority in Canada.

CHALLENGES TO DECLARATIONS OF SELF-IDENTIFICATION

Challenges to a declaration of self-identification, as a member of a designated group shall be made within thirty (30) days of commencement of employment in the position.

Challenges to declarations of self-identification shall be made in writing to the department/agency Human Resource Branch who will notify the co-chairs of the Central Joint Employment Equity Committee.

Persons who are challenged shall provide documentation of proof as a member of a designated group to the department or agency Human Resource Branch.

The department or agency Human Resource Branch shall examine documentation and render a decision and notify the co-chairs of the Central Joint Employment Equity Committee.

NON-TRADITIONAL SGEU OCCUPATIONS FOR WOMEN

These occupations are occupations where female representation is less than 45% of the workforce.

Signed on behalf of the
Saskatchewan Public Service Commission

_____

Date:_____

Signed on behalf of the
Saskatchewan Government and General Employees' Union

_____

_____

Date:_____

EVALUATION:
Employment Equity Education and Awareness

Your comments and ideas are important. We want to hear your opinions regarding this package. Please respond to each item. Your comments will be helpful in planning future Employment Equity education and awareness programs. (Tear along the perforated line, photocopy, and distribute among your workplace).

1. **The goals and objectives were clear to me after reading the information package.**

   Very Clear *Clear* *Somewhat Clear* *Not Clear*

   Comments:_____

2. **The information given in the package was useful.**

   Very Useful *Useful* *Somewhat Useful* *Not Useful*

   Comments:_____

3. **My understanding of Employment Equity after reading the package is:**

   Much Better *Better* *About the Same* *Worse*

   Comments:_____

4. **My understanding of the designated groups is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

5. **My understanding of the barriers that the designated groups face is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

6. **My understanding of the benefits of Employment Equity is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

7. **My understanding of the benefits of a diverse workplace is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

8. **My understanding of the process and implementation of Employment Equity is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

9. **My understanding of how stereotyping other people can be hurtful and contributes to racism and discrimination is now:**

Much Better *Better* *About the Same* *Worse*

Comments:_____

_____

_____

10. **How did you feel about Employment Equity <u>before</u> reading this package?**

Great *Good* Uncomfortable Angry

How do you feel about Employment Equity <u>after</u> reading this package?

Great *Good* *Uncomfortable* *Angry*

Comments:_____

_____

_____

11. **What would you say about this package to someone who has not read it?**

Comments:_____

_____

_____

12. **What information in the package did you find <u>most helpful</u> or interesting to you?**

Comments:_____

_____

_____

13. **What information in the package was the <u>least helpful</u> or interesting to you?**

Comments:_____

_____

_____

14. What information about Employment Equity would you like to know that was not in the package?

Comments:_____

_____

_____

_____

15. What changes would you suggest to help improve this package?

Comments:_____

_____

_____

_____

16. What changes would you suggest to make this package more useful to your workplace?

Comments:_____

_____

_____

_____

Thank you for your comments and suggestions!

Joint project: Government of Saskatchewan/Saskatchewan Government Employees Union & Canadian Union of Public Employees, 1998